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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/775,499	02/09/2004	Scott Wu	14235 B	2314

36672 7590 11/21/2006

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EXAMINER	
BERTHEAUD, PETER JOHN	

ART UNIT	PAPER NUMBER
3746	

DATE MAILED: 11/21/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/775,499	WU, SCOTT	
	Examiner	Art Unit	
	Peter J. Bertheaud	3746	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *09 February 2004*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-20* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-20* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *09 February 2004* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 1-3, 5-9, 12-15, and 17-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wu 6,485,264 in view of Wang 6,428,290.

Wu discloses an air pump assembly including a base comprising a socket (11), a cylinder (10) inserted in the socket and a first joint formed thereon (area directly above pedals, formed into socket and cylinder), the first joint comprising a transverse channel (13 in Fig. 3) and an axial channel (10a) in communication with the transverse channel; a pumping set comprising a cylinder (10) for receiving the first joint and a piston (22) put in the cylinder; a gauge set comprising a gauge (60), a housing for receiving the gauge (70) and a tube extending from the housing (50) and defining two apertures in communication with the transverse channel of the first joint; a second joint (46) inserted in the apertures of the cylinder (42), the transverse channel of the first joint and the apertures of the tube, the second joint comprising an axial channel (44), a first transverse channel (45) for communicating the axial channel thereof with the axial channel of the first joint and a second transverse channel (vertical portion of 44 inside 48) for communicating the axial channel thereof with the tube; and a nozzle (91) in

communication with the second joint. Wu also discloses that both the cylinder and the socket define two apertures for receiving the second joint (see col. 3, lines 11-13 and 13 in Fig. 3). Wu further discloses that the gauge set comprises a collar (72) formed on the tube, and the cylinder is inserted in the socket through the collar. Wu discloses that the pumping set comprises a rod (20), a handle (21) attached to the rod, and that the base comprises at least one pedal (see 11 in Fig. 2) extending from the socket. Wu discloses that the nozzle set comprises a nozzle (91) for receiving a valve of an article to be pumped and a pipe (90) for communicating the nozzle with the second joint (46), as well as the first joint being integrated with the base. However, Wu does not show a first joint put in the cylinder or that the cylinder defines two apertures in communication with the transverse channel of the first joint. Furthermore, Wu fails to disclose that the first joint is made independent of the base.

Wang teaches an air pump including a base (100), a pumping set comprising a cylinder (110) and a piston (180) put in the cylinder; a first joint (130) put in the cylinder, the first joint comprising a transverse channel (112) and an axial channel (132) in communication with the transverse channel; a second joint (120) inserted in the cylinder and through the first joint, the second joint comprising an axial channel (121), a first transverse channel (123) for communicating the axial channel thereof with the axial channel of the first joint and a second transverse channel (126) for communicating the axial channel thereof with a tube. Wang further teaches that the cylinder defines two apertures (112) in communication with the transverse channel of the first joint (see the positioning of 130 in Fig. 1) and that that the first joint (130) is made independent of the

base (100). Wang teaches that these aspects of the invention would be advantageous because the convenience of the user can be greatly increased by the modifications.

Therefore, it would have been obvious to one skilled in the art at the time of invention to modify the air pump assembly of Wu by placing a first and second joint inside the cylinder as independent parts, as taught by Wang, in order to make the pump more user friendly (see col. 1, lines 9-34).

3. Claims 4 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wu 6,485,264 in view of Wang 6,428,290, and in further view of Wang 6,676,390.

Wu in view of Wang 290 disclose the invention as discussed above. However, Wu in view of Wang 290 do not disclose that the tube defines two apertures for receiving the second joint.

Wang 390 teaches a manual air pump including a base, a cylinder (30), a piston within that cylinder (53), and a joint protruding from the lower end of the pump that contains an axial (101) and transverse passageway. Wang 390 further discloses that a tube (the combination of 60 and 100 in Figs. 1, 2, and 4) defines two apertures for receiving this joint. Wang teaches that this would be advantageous because it provides communication between the outlet (11) and the discharge tube (60).

Therefore, it would have been obvious to one skilled in the art at the time of invention to modify the air pump assembly of Wu and Wang 290 by having the tube define two apertures for receiving the second joint, as taught by Wang 390, in order to provide communication between the outlet and the discharge tube (see col. 2, lines 35-37).

4. Claims 10, 11, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wu 6,485,264 in view of Wang 6,428,290, and in further view of Wu 6,652,242.

Wu 264 in view of Wang discloses the invention as discussed above. However, Wu 264 in view of Wang do not disclose that the assembly comprises a cap for communicating the pipe with the second joint or that the second joint includes a head for abutment against the cylinder.

Wu 242 teaches a pump assembly including a base comprising a first joint (40) formed thereon, the first joint comprising a transverse channel (43) and an axial channel (41) in communication with the transverse channel; a pumping set comprising a cylinder (10) for receiving the first joint and a piston (24) put in the cylinder, the cylinder defining two apertures (17) in communication with the transverse channel of the first joint; a gauge set comprising a gauge (45), and a housing for receiving the gauge (40); a second joint (50) inserted in the apertures of the cylinder, the transverse channel of the first joint and the apertures of the tube, the second joint comprising an axial channel (51), a first transverse channel (54) for communicating the axial channel thereof with the axial channel of the first joint and a second transverse channel(55) for communicating the axial channel thereof with the tube. Wu 242 further teaches a cap (57) for communicating the pipe (58) with the second joint and that the second joint includes a head (56) for abutment against the cylinder. Wu 242 discloses that these aspects of the invention would be advantageous because they hold the seals in place so as to prevent fluid from leaking out.

Therefore, it would have been obvious to one skilled in the art at the time of invention to modify the air pump assembly of Wu and Wang 290 by having a head abutment as well as a cap for communicating the pipe with the second joint, as taught by Wu 242, in order to hold the seals in place on the first joint so as to prevent fluid from leaking out (see col. 2, lines 53-65).

Conclusion

5. The prior art made of record, in the attached form 892, and not relied upon is considered pertinent to applicant's disclosure.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peter J. Bertheaud whose telephone number is (571) 272-3476. The examiner can normally be reached on M-F 9am - 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ehud Gartenberg can be reached on (571) 272-4828. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Peter Bertheaud

PJB

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EHUD GARTENBERG
SUPERVISORY PATENT EXAMINER

Ehud Gartenberg